



[4910-RY]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in California

AGENCY: Federal Highway Administration (FHWA), DOT

ACTION: Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans), pursuant to 23 U.S.C. 327, and U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and the National Oceanic and Atmospheric Administration – National Marine Fisheries Service.

SUMMARY: The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and the National Oceanic and Atmospheric Administration – National Marine Fisheries Service that are final within the meaning of 23 U.S.C. §139(*l*)(1). The actions relate to a proposed highway project, State Route 76 (SR-76) from South Mission Road in Bonsall to just east of Interstate 15 (I-15), including interchange improvements, in Fallbrook, County of San Diego, State of California. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions subject to 23 U.S.C. §139(*l*)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before October 14, 2012. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such claim, then the shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: For Caltrans: Bruce April, Deputy District Director, Division of Environmental Analysis, California Department of Transportation, 4050 Taylor Street, MS 242, San Diego, CA 92110, Regular Office Hours: 8:00 a.m. to 5:00 p.m., Telephone number 619-688-0100, e-mail Bruce.April@dot.ca.gov. For the U.S. Army Corps of Engineers, Ms. Stephanie J. Hall, District 11 Liaison, 915 Wilshire Boulevard, 13th Floor, Los Angeles, CA 90017-3401, Regular Office Hours: 8:00 a.m. to 5:00 p.m., Telephone number 213-452-3410, e-mail Stephanie.J.Hall@usace.army.mil, the Clean Water Act Section 404 Permit is pending. For the U.S. Fish and Wildlife Service, Ms. Sally Brown, Caltrans Liaison, 6010 Hidden Valley Road, Suite 101, Carlsbad, CA 92011, Regular Office Hours 8:00 a.m. to 5:00 p.m., Telephone number 760-431-9440, the Biological Opinion was received on September 22, 2011. For the National Oceanic and Atmospheric Administration – National Marine Fisheries Service, Mr. Stan Glowacki, Protected Resources Division, Southwest Regional Office, 501 West Ocean Boulevard, Long Beach, CA 90802-4213, Telephone number 562-980-4061, e-mail stan.glowacki@noaa.gov, the Section 7 consultation was completed on June 8, 2011.

SUPPLEMENTARY INFORMATION: Effective July 1, 2007, the FHWA assigned, and the California Department of Transportation (Caltrans) assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that Caltrans has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: The project is located in northern San Diego County on SR-76 from South Mission Road in the unincorporated community of Bonsall to just east of I-15, including interchange improvements in the unincorporated community of Fallbrook, covering a distance of approximately 5.6-miles on SR-76 and 1.2 miles on I-15 (PM 12.1/17.7; 46.1/47.3). The project would construct SR-76 as a four-lane conventional highway including interchange improvements. The Existing Alignment Alternative with a partial

cloverleaf interchange design has been selected as the Preferred Alternative and also as the Least Environmentally Damaging Practicable Alternative (LEDPA). The FHWA project reference number is FHWA-CA-EIS-10-01-F.

The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Impact Statement (FEIS) for the project, approved on January 5, 2012, in the FHWA Record of Decision (ROD) issued on March 23, 2012, and in other documents in the FHWA project records. The FEIS, ROD, and other project records are available by contacting Caltrans at the addresses provided above. The Caltrans FEIS and ROD can be viewed and downloaded from the project web site at <http://www.dot.ca.gov/dist11/envir.htm>.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. Council on Environmental Quality regulations;
2. National Environmental Policy Act (NEPA);
3. Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU);
4. Department of Transportation Act of 1966;
5. Federal Aid Highway Act of 1970;
6. Clean Air Act Amendments of 1990;
7. Clean Water Act of 1977 and 1987;
8. Endangered Species Act of 1973;
9. Migratory Bird Treaty Act;
10. Farmland Protection Policy Act of 1981;
11. Title VI of the Civil Rights Act of 1964;
12. Uniform Relocation Assistance and Real Property Acquisition Act of 1970;

13. National Historic Preservation Act of 1966;
14. Historic Sites Act of 1935;
15. Resource Conservation and Recovery Act of 1976;
16. Executive Order 11990, Protection of Wetlands
17. Executive Order 13112, Invasive Species;
18. Executive Order 11988, Floodplain Management; and,
19. Executive Order 12898, Environmental Justice.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. §139(*l*)(1)

Issued on: __April 11, 2012__

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San Diego, California